

REMARKS

The Examiner indicated that Belgian Patent 333,215 was not considered because no explanation of its relevance in the English language was provided. The applicant notes that this Patent was cited as part of the International Search report. This patent relates to a soap dispenser(7) having a bracket on which a hollow body(1) is supported. This patent appears similar to U.S. Patent No. 1,599,240 cited as being of general interest by the examiner.

The Examiner rejected claims 14, 15, and 17 as being indefinite stating that the reference to a keydispenser was vague and indefinite in claim 17. The reference to a keyed dispenser in the preamble is necessary to provide the proper context for the claimed invention. In particular, the goal of the claimed container is to bypass a keying system. Existing keying systems, while providing a unique fit between the container and the dispenser, also serve the practical function of limiting movement of the container. The projections recited in the body of the claim are universal and do not provide a unique fit between the container and the dispenser. These projections, however, because of their placement interact with the interior of the dispenser to restrict the container's movement. Consequently, the claimed invention does not rely on a key and bypasses traditional keying systems. Therefore, the applicant believes that claim 17 is definite, and respectfully requests reconsideration of this rejection.

With respect to the recitation of "said depth" in line two of claim 14, antecedent basis for this term may be found in claim 10, from which claim 14 depends, in line 4. Claim 14 was intended to depend from claim 10 and describes the projection as extending across only a portion of the container depth so that a clearance is defined. In contrast, claim 13 specifically describes the depth of a

6.

projection as being about one half the depth of the container body. The applicant believes that claim 15 also is clear as it depends from claim 14 and further limits that claim by stating that the projection is centered in a depth-wise direction. Consequently, the applicant respectfully requests reconsideration of these rejections.

In reviewing claim 13, the applicant noted that there was a typographical error. In particular, in line 3 of that claim, the depth of the container body was referred to as “a depth of said body”. Since claim 13 depends from claim 10, which introduces this depth, the applicant has amended claim 13 to state “said depth of said body.”

Turning to the substantive rejections, the Examiner rejected claims 1-12, 16, and 17 as being anticipated by Lewis, U.S. Patent No. 6,247,621. The applicant respectfully disagrees because Lewis does not disclose projections that interact with a dispenser to hold the container in place. In contrast, Lewis discloses the use of recesses specifically designed to receive projections formed on the dispenser (52). To that extent, because Lewis’s recesses are uniquely oriented to receive projections extending from the base of a bracket, a keyed attachment occurs. In contrast, as described above, the applicant’s invention is designed to bypass keying and employs projections that extend outwardly from the walls of the container to interact with the walls of the dispenser to restrict movement. Since the projections interact with walls of the dispenser to create an interference fit or alternatively to interact with recesses commonly found in dispensers, the applicant’s container is universal and avoids traditional keying systems. Consequently, when the claimed invention is viewed as a whole, the applicant believes that Lewis does not anticipate claims 1-12, 16, and 17, and respectfully requests reconsideration of the rejection.

The Examiner rejected claims 1, 2, and 4-9 as anticipated by Cassia, U.S. Patent No. 4,673,109. Like Lewis, Cassia employs a unique fit between its container and the support bracket by providing recesses 100 that receive an inwardly extending

7.

edge 36 formed on the bracket. As best shown on fig.11, Cassia lacks any projections that extend outwardly from it's sides or the top (fig. 9) of the container. As can be readily seen from the drawings, Cassia is not universal and has no structures capable of interacting with a traditional dispenser. Consequently, the applicant believes that when considering the claimed invention, as a whole, claims 1, 2, and 4-9 are not anticipated by Cassia, and respectfully requests reconsideration of this rejection.

The Examiner also rejected claims 1, 2, and 4-9 as anticipated by Kaanehe, U.S. Patent No. 3,344,958. The applicant respectfully disagrees because Kaanehe does not disclose a container having projections. Instead, Kaanehe provides a close fitting sheath in which a container is received. The container is merely a box containing dry product that has no projections capable of interacting with a dispenser. Therefore, the applicant believes that claims 1, 2, and 4-9 are not anticipated by Kaanehe and respectfully requests reconsideration of this rejection.

The Examiner also rejected claims 1-17 as obvious over Cassia in view of Perrin U.S. Patent No. 4,164,306. As noted above, the applicant respectfully disagrees with the Examiner's statement that Cassia includes projections for limiting movement of a body within a dispenser because Cassia does not include projections that extend outwardly from the body toward structures within the dispenser to restrict movement without keying. As discussed above, Cassia does not include projections that extend outwardly from its body but instead provides recesses within the body that interact with structures specifically designed to fit within those recesses essentially providing a keyed fit and preventing the container from being universal. Perrin is no different. The Examiner cites Perrin for the disclosure of projections extending from the top of the dispenser. The structures (64) referred to by the Examiner merely are the upper vertical extremities of the container (column 6, line 10) and do not project from the container. Instead, as discussed in column 6, a recess 62 is provided to receive a projection extending from the dispenser. Consequently, the cited combination does not disclose the invention as claimed.

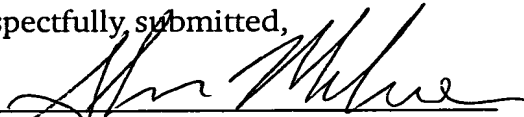
8.

Moreover, one of ordinary skill would not be lead to combine Perrin and Cassia in the manner described by the Examiner because each defines particular recesses adapted to interact with structures that are projecting from their individual dispensers. These structures create a unique fit between the container and the dispenser that prevents the container from being universal and avoiding such keying systems. Notably, the formation of recesses exhibited in the applied patents, have the further disadvantage of restricting the usable volume of the container. The applicant's invention maintains the original volume of the container and expands upon it by providing outwardly extending projections that interact with the walls of a dispenser. Consequently, when viewed a whole, the applicant's invention is not obvious over the applied art. Therefore, the applicant respectfully requests reconsideration of the foregoing rejections.

In light of the foregoing, the applicant believes that claims 1-17 are in condition for allowance and respectfully requests notice of the same. Should the Examiner wish to discuss any of the foregoing in more detail, the undersigned attorney would welcome a telephone call.

No new claims have been added and therefore no additional fees are believed due at this time. Nonetheless, in the event that a fee required for the filing of this document is missing or insufficient, the undersigned attorney hereby authorizes the Commissioner to charge payment of any fees associated with this communication or to credit any overpayment to Deposit Account No. 18-0987.

Respectfully submitted,



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